

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DANIEL B. GRAVES,

Plaintiff,

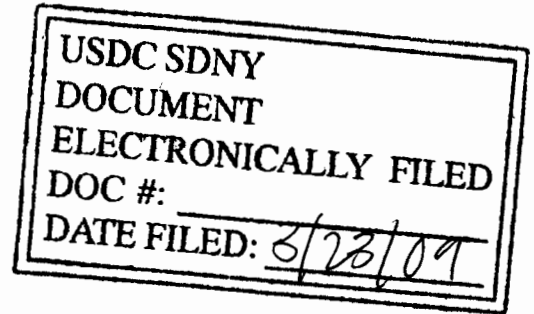
v.

DEUTSCHE BANK SECURITIES, INC.,

Defendant.  
-----x

BARBARA S. JONES


UNITED STATES DISTRICT JUDGE



07 Civ. 5471 (BSJ) (KNF)  
Order

In light of the Memorandum and Order issued by Magistrate Judge Fox on March 20, 2009, granting Plaintiff leave to file a Second Amended and Supplemental Complaint, Defendant's Motion to Dismiss is DENIED as moot with leave to replead if the Motion, as written, sufficiently addresses the allegations in Plaintiff's Second Amended and Supplemental Complaint. If the Motion is not sufficient as written, Defendant may file an amended or new Motion to Dismiss within thirty days of the date of entry of this Order. Accordingly, the Clerk of the Court is directed to terminate Defendant's Motion to Dismiss (docket entry #4).

SO ORDERED:

  
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
March 23, 2009